

## **A History of Tempe's Double Butte Cemetery**

by

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On September 13, 1897 the officers of the Tempe Cemetery Company signed the Articles of Incorporation of the company, forming the first corporation to administer Double Butte Cemetery in Tempe, Arizona. Almost one hundred years later, the City of Tempe, then owners and operators of the cemetery sold the last remaining casket space. During the course of those hundred years the cemetery expanded several times and changed ownership twice. Many Tempe residents and people who played prominent roles in the leadership of the state of Arizona have been laid to rest in Double Butte Cemetery.

This is a time of transition once again for Double Butte Cemetery. The Tempe City Council is considering selling the cemetery to a person in the private sector who has plans for further expansion. Before a corner is turned into the future it would be worthwhile to take a look at the past.

### **Tempe Cemetery Company**

When the Tempe Cemetery Company first incorporated in 1897 water still ran in the Salt River. The town of Tempe had been using telephones for two years, but they wouldn't see electrical lighting until two years later, in May of 1899. The town had been incorporated in 1894.<sup>1</sup>

A meeting took place on March 29, 1897 which set in motion the process for the incorporation of the Tempe Cemetery Company. At the meeting were members and the Board of Directors of the company, representing a cross section of the Anglo community in Tempe. Thomas Morrow was President, Jno. L. Richards was Vice President, Gabriel Cosner was Secretary, and M. S.

Johnston, Treasurer. Five other members who attended this important meeting were G. K. Miller, Charles and A. G. Austin, C. P. Barrowdale, and J. Jungerman.

On September 13, 1897 the Articles of Incorporation were signed in the presence of H. Z. Zuck, Notary Public. The termination of the corporation was set for September, 1922. The company made available a thousand shares of capital stock of par value of ten dollars each. "Each of such shares of stock shall represent and be considered irrevocable license to the holder of the same to use for the purpose of burial of the dead, a lot of ground of the lands of corporation, such lot to be designated and described in such certificate, and to be of the length of twenty feet, and the width of twenty feet; also such rights to the use of the crematory of the corporation as may be hereafter decided upon by the stockholder."<sup>2</sup> The articles designated that an annual meeting of the stock holders be held on the last Monday in March when a Board of Directors of five members would be elected. The Board would then decide among themselves the offices each would fill. Meetings of the Board of Directors would be held quarterly, or more often if needed.<sup>3</sup> The following years of the Tempe Cemetery Company involved the sale of stock and the development of the original property of the cemetery.

As you turn off of Broadway into the driveway of the cemetery resist being drawn in to the shade of the long avenue of olive trees. First, turn directly to the left and go beyond the lawns to the sections remaining in a desert condition -- to sections A, B, C and D. There had been burials in the cemetery for more than ten years, but this is the part of the cemetery which the Tempe Cemetery Company began developing by selling family lots. It would later be called the "Pioneer Section." Many of the families who pioneered Tempe are buried here, including all but one of the members present at the 1897 incorporation meeting.

Charles Trumble Hayden is buried in Section B. He founded the town and lived to see it put down strong roots. Beside him is his wife Sallie, who worked so hard to make her frontier home a civilized place.<sup>4</sup> She also served as postmistress for awhile. Their son Carl Hayden is also there, who was a Senator from Arizona for more than fifty years, and who stayed in office long enough to see his dream come true and be able to sign into law the Central Arizona Project which he had worked so hard to enable. Carl's wife, Nan Hayden sewed the first state flag when the territory became a state.<sup>5</sup>

A family lot could hold between eight and twelve people and many people bought an entire share of stock in order to have a complete lot for as many members of their family as possible.<sup>6</sup> Sometimes the younger generation would buy another. The Woolf family have a lot in Section B and C. James W. Woolf was a rancher, canal board member, bank director, postmaster of Tempe, and territorial legislator.<sup>7</sup> His grandson, Jack O'Connor wrote fondly about him in his book, Horse and Buggy West: A Boyhood on the Last Frontier. The O'Connor family lot is nearby in the cemetery.

Niels Peterson, said to be the donor of the land for the initial cemetery, was originally buried there but was moved in 1923 back to the burial plot beside the Peterson House, now at Priest Dr. and Southern Ave.<sup>8</sup> Mons Ellingson, who came from Norway and homesteaded a farm, is there, as well as the Laird family.<sup>9</sup> Dr. John Gregg and his wife Mary are in Section A. He was the first doctor in Tempe and he established the first Protestant church in the town.<sup>10</sup>

Dr. B. B. Moeur and some of his family are there, too. He served as a doctor in the town for four decades, was also mayor, a delegate to the Arizona Constitutional Convention in 1910, and governor of the state in the 1930s.<sup>11</sup> Honor Moeur, the doctor's wife, served as the secretary of the Tempe Cemetery Association for many years.

Edmund H. Spain is in Section A. He started the first auto garage in Tempe. Near him, in Section B is his son Carl, who kept the garage in operation until 1970. E. P. Carr, who founded Carr Mortuary in 1906, and some of his family are near, as is the Curry family, who operated the Tempe Hardware Company.<sup>12</sup> A. E. Miller and the Fogal family, the Andersons, Austins, the Hannas, and Walter and Florence Redden are all located in the Pioneer Section.

Many of the family lots in these sections have a large stone with the family name and smaller stones on individual graves. Some simply give names and often, dates. Some grave markers are more elaborate. At the grave of Ellen D. Corbell, who died at the age of 36 in April, 1901 there is a verse, typical of that time, engraved on the stone;

"We Miss Thee From Our Home Dear,  
We Miss Thee From Thy Place,  
A Shadow Oer Our Life Is Cast,  
We Miss The Sunshine Of Thy Face,  
Thy Fond And Earnest Care,  
Our Home Is Dark Without Thee,  
We Miss Thee Everywhere."<sup>13</sup>

Many of the family lots in these oldest sections have cement curbing. Some families fenced their lots. Some made their own markers or crosses of wood and various materials. For many years the caretaking of the cemetery was done primarily by the families.

In May, 1911 the annual meeting of the Tempe Cemetery Company elected Mr. J. Blount, President, Mrs. V. C. Kingsbury, Treasurer, Mrs. R. A. Windes, Secretary, and W. T. Cummings, Sexton. Also, from this time on, and including the previous year of 1910, the secretary would be paid a yearly fee of \$25 for keeping the cemetery records. It was also decided to pursue the possibility of purchasing an additional five acres from Niels Peterson in order to

expand the cemetery some more.<sup>14</sup> After a year of waiting to secure the property from Mr. Peterson the Board of Directors decided to go ahead and have some of that ground surveyed.<sup>15</sup> However, the sale was stalled for several years.

### Tempe Cemetery Association

The incorporation of the Tempe Cemetery Company expired September 20, 1922, but the cemetery continued in operation unofficially for four more years. On January 31, 1924 a special meeting of the stockholders of the Tempe Cemetery Company met in order to elect a new Board of Directors. The Board met after the stockholders meeting and it was decided among them that they would hold the following offices:

Joseph T. Birchett, President  
D. G. Buck, Vice President  
Mrs. B. B. Moeur, Secretary  
Hugh Laird, Treasurer  
Price Wickliff, Sexton<sup>16</sup>

The new Board of Directors had a big job ahead of them. The cemetery was in "deplorable condition and the organization was broke."<sup>17</sup> Tempe experienced some financial problems early in the 1920s because of the postwar depression and trouble in the cotton market. Unemployment rose and several Tempe business failed, including the Farmers and Merchants Bank. According to Tempe: Arizona Crossroads, Dean Smith's history of Tempe, "William J. Kingsbury, president of that bank and a prominent civic leader, was accused of starting a fire in the vault to cover up a \$23,500 shortage. Both he and his cashier were sentenced in 1923 for their crimes."<sup>18</sup> It may well be that the Tempe Cemetery Company did its banking at the Farmers and Merchants Bank.

In his report to the Annual Meeting of March 27, 1926, President Birchett said,

"As you probably know, when I accepted the office of president two years ago, the association had sometime before lost all its funds in a bank failure, in consequence of which there was no money with which to clean up and care for the grounds; many of the graves were badly sunken and the trees were beginning to die from lack of water and care."<sup>19</sup>

A fund raising campaign was inaugurated which included a committee consisting of Mrs. C. P. Mullen, Mrs. R. A. Windes, Mrs. Frank Saylor, Mrs. A. J. Dines, Miss Carr, and Mrs. B. B. Moeur. These women raised \$1311.57 towards "the building of a new front (iron) fence . . . and any up keep we might have also to provide a permanent caretaker."<sup>20</sup> Eventually more that \$1450.00 was raised, according to the 1926 President's Report.

The first step taken after initiating the fund raising campaign was to purchase some additional property. At the May 9, 1924 Board of Directors meeting it was noted that "[t]he deed for the new tract of 5 acres was handed in to be recorded."<sup>21</sup> Mrs. Niels Peterson also donated "nearly an acre more" to the cemetery.<sup>22</sup>

A crew was then hired to clean out the brush which had overgrown much of the cemetery. Fences were straightened and in places rebuilt. The iron fence at the front of the cemetery needed an additional 500 feet of fencing added to it. "[W]e drilled a well and put cement culverts and head-gates all over the cemetery, besides making numerous other improvements."<sup>23</sup> In March, 1925 Simon Acosta was hired as caretaker for the cemetery.<sup>24</sup> He held the job until the fall of 1926, when Martin Palma was hired.<sup>25</sup> Double Butte Cemetery once again became a place to be proud of.

In February, 1926 the Board of Directors of the Tempe Cemetery Company met to proceed to re-incorporate and new Articles of Incorporation were filed with the Maricopa County Recorder. The annual stockholders meeting of March 27, 1926 granted authority to President Birchett and Secretary Honor G.

Moeur to transfer the property of the cemetery to the newly incorporated Tempe Cemetery Association.<sup>26</sup> In using the name Tempe Cemetery Association, they revived the name of the original joint stock company which began the cemetery more than thirty years earlier.<sup>27</sup>

The Articles of Incorporation and by-laws of the new company made changes in the procedure of selling the cemetery lots. When Tempe Cemetery Company stock would be turned in membership in the new Association would be issued. Other people could apply for membership, which would involve the purchase of a lot ten feet square. Lots smaller than 10-feet square could be purchased, but that purchase wouldn't convey membership in the association. Members would be entitled to one vote at the annual meeting set for the last Saturday in March. The Association By-laws explained organizational membership further. Primary members were owners of membership certificates. Secondary membership was extended to their immediate family; husband or wife, children and their spouses, father and mother, and each grandchild. These secondary members were entitled to vote. Grave spaces located within the member's lots could only be used by Primary and Secondary members.

Provision was also made for the purchase of a permit for use of single grave spaces, but that permit did not convey any rights or privileges in the Association. After an Application for Permit was completed a Permit would be issued "for use of grave space less than 10 feet square." When the time came for the grave space to be used an Application for Burial Order would be filled out as well as an Order to Sexton to prepare the grave.<sup>28</sup>

At the 1929 annual meeting, President Birchett could finally report that the financial condition of the Tempe Cemetery Association was now good. He was retiring from the position of President of the Association and took the opportunity to express some of his vision for the future of the cemetery. He expressed

concern about the number of burials of non-Tempe residents. The prices with the Tempe Cemetery Association were some of the lowest in the valley and the cemetery was an attractive place. The President pointed out that it was only a matter of time before all the grave spaces would be sold and the cemetery would no longer have any revenue to take care of the maintenance of the grounds. He suggested raising prices and putting the additional revenue into an endowment fund.

"Also," Birchett continued, "I believe that this association should acquire the other buttes and vacant land adjoining its present holdings as I am convinced that at some future time they will be valuable assets; a reservoir could be placed on some of the higher ground and water pumped into it and the ground parked making ideal locations for Mausoleums and other places of burial; it could unquestionably be made into one of the most beautiful and unique cemeteries in the whole country . . . ."29

Succeeding years saw further development of Double Butte Cemetery. In 1930 the "streets and alleys" of the cemetery were graveled.<sup>30</sup> In 1930 W. S. Austin was elected President, Reg. S. Phillips, Secretary, and Garfield Goodwin, Treasurer. B. Byers and Frank Empey also served on the Board of Directors. That year the Board took in bids for the construction of a building for an office for the sexton and caretaker. The contract was awarded to Fred Hiatt, who had a bid of \$809.61. The Secretary was also asked to call for deep well pump bids and later in the year it was decided to expand the plans for the building to include a pump house.<sup>31</sup>

In 1933 the Association was able to loan \$1000 to the Tempe Beach Committee for the further development of that park.<sup>32</sup> Soon the Association was in a position to purchase some more land. At the board meeting on June 1, 1938 G. A. Goodwin moved that the asking price of \$3200.00 be paid for the purchase of land west of the cemetery, owned by Mrs. Booth.<sup>33</sup> The motion carried and the cemetery acquired twenty-five more acres.



The cemetery was also expanding as the "New" section began being used. Sections F and G began to fill from 1927 through 1936, Sections 1-7 from 1926 through 1939, and Sections 8-12 between 1944 and 1958.

The busy war years and early fifties saw the business of the cemetery grow past the expiration date of the Association's incorporation. It became necessary to decide the best course of action for the Association. As the business of running the cemetery grew it became increasingly burdensome for a volunteer organization, and it became evident that the time had come to hand the cemetery on to someone else.

A special meeting of the Board of Directors of the Tempe Cemetery Association was held on April 17, 1958. There were only three remaining Directors of the Association, and they were all present: E. P. Carr, Jr, President, Hugh E. Laird, Secretary, and Clyde Gilliland.

"The President informed the meeting that the charter of the Corporation had expired, and that it would not be necessary to renew same since an agreement had been entered into with the City of Tempe wherein the TEMPE CEMETERY ASSOCIATION would convey to the City of Tempe all of its right, title and interest in and to the property hereinafter described on the condition that the City of Tempe assume its obligations to operate same as a cemetery."

A motion was made to accomplish that and the motion, being seconded, carried unanimously.<sup>34</sup> Double Butte Cemetery became the responsibility of the City of Tempe.

#### City of Tempe Administration

The cemetery was placed under the administration of the Parks and Recreation Department within the City organization. Since 1958 the Directors of the Parks and Recreation Department have been Vic Palmer, Joe Salvato, Ronald E. Pies, Duane Dawson, and Mark Richwine. Department staff who have

served as Sexton of the cemetery are Jim Weldon, 1956-1976, Sal Leyvas, 1976-1997, and Jerry Santee, 1997-1998. In their years of taking care of the cemetery they saw it approach its capacity and helped to expand it even more.

The undeveloped land on the west side of the cemetery was leased for farming. Oscar Walls farmed 40 acres for awhile. In 1960 the amount of acreage farmed was reduced to twenty-five.<sup>35</sup> William Stambaugh raised barley and wheat on 20 acres in 1962 and 1963.<sup>36</sup> Wallace K. Thelander farmed twenty acres from 1964 through March, 1968.<sup>37</sup>

The City platted Sections 20, 21, 22, and 23 in 1962 even though the land was left undeveloped and leased for farming. On December 16, 1965 the City traded forty acres with Oscar and Dorothea Walls for land further west at 48th Street and Broadway. On that date the City also sold land to Maricopa County for the construction of the I-10 Highway.<sup>38</sup> Those transactions resulted in the shape of the cemetery property which has continued to this date.

The maintenance of the cemetery was a large job for the Field Services staff of the City of Tempe. Many of the spaces and lots in the desert sections could have a gravel coating ordered for them. Green gravel was called a "greenjacket." Sections 16 through 23 were planted in lawn and the olive tree grove planted down the long driveway between Sections 20 and 21 and Section 22. Although in the older sections of the cemetery there is a great variety of grave markers, it became the policy in the lawn sections for markers to be within a standard size and placed in the ground, level with the surface. This policy made the maintenance of the lawns easier and helped to minimize vandalism.

Early in 1964 the cemetery maintenance staff got some unexpected help. The Phoenix Bricklaying and Stonemasonry Joint Apprenticeship Committee had previously held yearly contests during which the apprentices erected a wall. One year they had built a 4'4" wall, of brick and concrete block, at the Scottsdale Elks

Club. For 1963 they had chosen Tempe's Double Butte Cemetery and the result was a fine fence, with everyone having a good time. Parks & Recreation Director Joe Salvato wrote a letter of appreciation to Mr. Brooks Billings. He wished that they would keep the cemetery in mind as a possible location for the next year's contest, but that didn't work out.<sup>39</sup>

By 1984 space at Double Butte Cemetery was becoming very limited. Two solutions were arrived at. First, Sal Leyvas, a maintenance foreman for the Public Works Department and sexton of the cemetery, developed a plan for using the spaces left vacant between the lots which had been laid out in the lawn sections. He also planned to use the desert area designated as Section 14, which hadn't previously been developed.<sup>40</sup>

The other solution for the diminishing space in the cemetery was to construct the Memorial Garden. It is a walled, landscaped garden for cremation burials. The cremation containers are buried in the ground just as caskets are, and a cast bronze plaque is mounted on the wall above it. Sal Leyvas had the gardens landscaped generously with bougainvillea and other desert shrubbery and trees so that it has become a lovely asset for the cemetery.

Despite the temporary expansion of space the day actually did come in 1994 when the last casket grave space was sold. That was when the idea surfaced of passing the cemetery on once again. It was decided to call for bids for cemetery development and management to see if there was any interest in the private sector in accepting the challenge of developing the cemetery's remaining potential.

There was a company interested in Double Butte Cemetery. They presented ideas for using double-depth burials. They also considered bypassing the rockiness of some of the unused land by planning the use of

mausoleums. They are also considering a crematory being built on the property.<sup>41</sup>

At the Tempe City Council meeting on April 23, 1998 the Council voted to accept the bid and agreed to "authorize the Mayor to execute an Agreement of Sale and all documents necessary to convey the Tempe Double Butte Cemetery from the City of Tempe to Double Butte Cemetery, Inc."<sup>42</sup>

### Conclusion

Some of the same concerns which the Tempe Cemetery Association had addressed in the late 1920s had continued into the present; the cost of maintenance and more non-Tempe residents using the cemetery than Tempe residents. Parks and Recreation Director Ron Pies had reported twenty years ago that "only a few Tempe citizens use this facility and the trend has remained constant even with the large growth our City has experienced."<sup>43</sup> The trend had indeed continued and the situation was the same in 1998.

Many people have been involved in the stewardship of Double Butte Cemetery since its beginning more than a hundred years ago. It has matured into a place that the community can take great pride in. There is still a lot of potential there, though. With the new caretakers, Joseph Birchett's vision for the cemetery may yet come to fruition.

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<sup>5</sup> Smith, 59.

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<sup>8</sup> "Tempe's Arlington: Brothers To Relate Cemetery's History" Tempe Daily News 15 Jan. 1985, in File HPS 253 at Tempe Historical Museum.

<sup>9</sup> Smith, 29.

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<sup>11</sup> Smith, 48 & 74.

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